

REMARKS

Initially, applicant acknowledges allowance of claims 1, 7-8, 10-12, 18-20, 37 and 40-41. In addition, the Examiner has indicated that claims 21-22 contain allowable subject matter. However, the Examiner has rejected such claims under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended claim 21 as suggested by the Examiner. It is now believed that claim 21 is in proper form for allowance and such action is earnestly solicited. Claim 22 depends from claim 21 and further defines a slide mechanism not shown or suggested in the art. It is now believed that claim 22 is in proper form for allowance.

With respect to claims 14 and 17, the Examiner has indicated that such claims are drawn to a non-elected species. As such, applicant has withdrawn such claims from further consideration in the present application. In addition, it is noted that applicant has cancelled claims 36 and 38-39.

Finally, the Examiner has rejected claim 23 as being unpatentable over Beck, U.S. Patent No. 5,259,711 in view Yanke, U.S. Patent No. 4,969,784 and Herrick et al., U.S. Patent No. 6,030,159. For reasons hereinafter described, applicant believes that claim 23 defines over the cited references and reconsideration is respectfully requested in view of the following comments.

Claim 23 defines a trailer frame for transporting a load. The trailer frame is supported on an axle and includes a pair of wheels. The trailer frame includes a tie-down assembly configured to secure a load and a slide mechanism configured to slidably couple the tie-down mechanism to the trailer frame. The slide mechanism includes a carriage bolt head disposed within a channel of the elongated member. The carriage bolt is configured to receive the tie-down assembly. The tie-down assembly includes a ring having a linear portion and a mounting plate configured to couple the ring to the slide mechanism. As defined, claim 23 requires a single carriage bolt to

have a head received in the channel of the elongated member and to pass through the opening in the mounting plate. None of the cited references or suggest such a structure.

The Beck '711 patent discloses a tie-down apparatus for transporting a load. The tie-down apparatus includes tracks adapted for slidably receiving corresponding cars therein. As pointed out by the Examiner, Beck '711 patent does not utilize the carriage bolt to tighten and secure the car at a predetermined location along the track. In addition, Beck fails to show a car having the specific configuration defined in claim 23. In order to overcome limitations of the Beck '711 patent, the Examiner cites the Yanke '784 patent as teaching a car slider mechanism that allows a tie-down assembly to be retightened and secured to any location along the elongated member or track. In addition, the Examiner suggests the Derrick et al., '159 patent discloses the specific configuration of the car including a ring having a linear portion and a mounting plate configured and capable of being coupled to the deck. The mounting plate including a raised portion configured to receive the linear portion of the ring and an opening to receive a bolt, cited in Fig. 1 of the '159 patent. However, the combination suggested by the Examiner still does not teach or suggest the tie-down assembly of independent claim 23.

As previously noted, claim 23 requires a carriage bolt having a head maintained within channel of the trailer frame. The mounting plate is configured to couple the ring to the slide mechanism and includes a raised portion configured to receive the linear portion of the ring and an opening to receive the carriage bolt. Hence, the structure of independent claim 23 requires the carriage bolt to have a head positioned within the slot of the elongated member and to pass through an opening in the mounting plate. This structure differs significantly than the structure disclosed in the '159 patent wherein the carriage bolts are threaded directly into the deck of the trailer. Further, in the '159 patent, the bolt used to guide the slide mechanism differs from the

bolts (136) used to connect the mounting plate to the slide mechanism. Consequently, the cited references do not teach the combination defined in independent claim 23. Hence, applicant believes that independent claim 23 defines over the cited references and is in proper form for allowance.

Applicant believes that the present application with claim 1, 7-8, 10-12, 18-23, 37 and 40-41 is in proper form for allowance and such action is earnestly solicited. Applicant believes that no fee is necessary with the present communication. However, should the Examiner consider any fee to be payable in connection with this or any future communication, the Director is authorized to charge any fee or credit any overpayment to the Deposit Account No. 50-1170.

The Examiner is invited to contact the undersigned by telephone if it would help expedite the prosecution of this application.

Respectfully submitted,



Peter C. Stomma,
Reg. No. 36,020

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BOYLE, FREDRICKSON NEWHOLM STEIN & GRATZ S.C.
250 Plaza, Suite 1030
250 East Wisconsin Avenue
Milwaukee, WI 53202
Telephone: (414) 225-9755
Facsimile: (414) 225-9753
Docket No.: 281.035